

1 JOHN L. BURRIS (#69888)
2 ADANTE D. POINTER (#236229)
3 Law Offices of John Burris
4 Airport Corporate Center
5 7677 Oakport Street, Ste. 1120
6 Oakland, California 94621
7 Telephone Number: (510) 839-5200
8 Facsimile Number: (510) 839-3882
9 E-Mail Address: adante.pointer@johnburrislaw.com

10 Attorneys for Plaintiff, MORRIS EMANUEL

11 RICHARD DOYLE, City Attorney (#88625)
12 NORA FRIMANN, Assistant Attorney (#93249)
13 MICHAEL J. DODSON, Sr. Deputy City Attorney (#159743)
14 RICHARD D. NORTH, Deputy City Attorney (#225617)
15 Office of the City Attorney
16 200 East Santa Clara Street
17 San José, California 95113-1905
18 Telephone Number: (408) 535-1900
19 Facsimile Number: (408) 998-3131
20 E-Mail Address: cao.main@sanjoseca.gov

E-FILED - 8/12/10

21 Attorneys for Defendants, CITY OF SAN JOSE and
22 OFFICER CONSTANTIN

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

MORRIS EMANUEL,

Plaintiff,

v.

CITY OF SAN JOSE, et al.,

Defendants.

Case Number: C08-05321 RMW

**STIPULATION OF DISMISSAL AND
[] ORDER**

Pursuant to the provisions of Federal Rules of Civil Procedure 41(a)(1), Plaintiff Morris Emanuel and Defendants City of San Jose and Officer George Constantin hereby stipulate that this action be dismissed in its entirety, with prejudice.

1 Plaintiff and Defendants further stipulate and agree that each party shall bear their
2 own attorneys fees and costs in connection with this action.

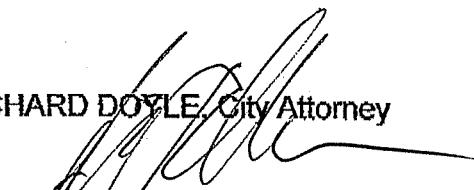
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4 Respectfully submitted,

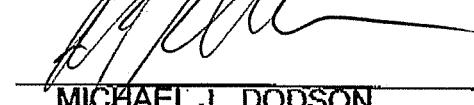
5 *August*
6 Dated: July 3, 2010
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10 By: 
11 ADANTE D. POINTER
12 Attorney at Law
13

14 Attorney for Plaintiff, MORRIS EMANUEL
15

16 *Aug.*
17 Dated: July 4, 2010
18

19 By: 
20 RICHARD DOYLE, City Attorney
21

22 By: 
23 MICHAEL J. DODSON
24 Sr. Deputy City Attorney
25

26 Attorney for Defendants, CITY OF SAN
27 JOSE AND OFFICER CONSTANTIN
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16 **ORDER**

17 Pursuant to the Stipulation of Dismissal by and between the parties to this action,
18 through their designated counsel, the above-captioned action is hereby DISMISSED with
19 prejudice pursuant to F.R.C.P. 41(a)(1), and it is further ordered that each party shall bear
20 their own attorneys fees and costs in connection with this action.

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24 Dated: 8/12/10
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Ronald M. Whyte
HONORABLE RONALD M. WHYTE
United States District Court Judge